



HOUSE BILL No. 4638

April 22, 1993, Introduced by Reps. Gubow, Anthony, Yokich, Dobb and Pitoniak and referred to the Committee on Public Health.

A bill to amend sections 2832 and 2882 of Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code,"

section 2832 as amended by Act No. 248 of the Public Acts of 1992 and section 2882 as amended by Act No. 83 of the Public Acts of 1987, being sections 333.2832 and 333.2882 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2832 and 2882 of Act No. 368 of the
2 Public Acts of 1978, section 2832 as amended by Act No. 248 of
3 the Public Acts of 1992 and section 2882 as amended by Act No. 83
4 of the Public Acts of 1987, being sections 333.2832 and 333.2882
5 of the Michigan Compiled Laws, are amended to read as follows:

6 Sec. 2832. (1) When a new certificate of live birth is
7 established, the actual place and date of birth shall be shown.

1 The new certificate shall be substituted for the original
2 certificate of live birth. Thereafter, the original certificate
3 and the evidence of adoption, paternity, legitimation, or sex
4 designation are not subject to inspection except AS OTHERWISE
5 PROVIDED IN SECTION 2882(2) OR upon a court order.

6 (2) Upon receipt of notice of annulment of adoption or a
7 copy of an order of rescission, the original certificate of live
8 birth shall be restored to its place in the files. The certifi-
9 cate created under subsection (1) is not subject to inspection
10 except upon a court order.

11 (3) If a certificate of live birth is not on file for the
12 individual for whom a new live birth certificate is to be estab-
13 lished under section 2831, a new live birth certificate may be
14 prepared on the delayed birth certificate form in use at the time
15 of adoption, legitimation, or paternity determination.

16 (4) When a new certificate of live birth is established by
17 the state registrar, all copies of the original certificate of
18 birth in the custody of a custodian of permanent records in this
19 state shall be sealed from inspection or forwarded to the state
20 registrar, as the state registrar directs.

21 Sec. 2882. (1) Except as otherwise provided in
22 section 2890, upon written request and payment of the prescribed
23 fee, the state registrar or local registrar shall issue:

24 (a) A certified copy of a live birth record or a certificate
25 of registration containing the items indicated in section 2881(2)
26 to the individual who is the subject of the live birth record, a
27 parent named in the birth record, an heir, legal representative,

1 or legal guardian of that individual, or a court of competent
2 jurisdiction.

3 (b) A certified copy of a death record, including the cause
4 of death, to any applicant.

5 (c) A certified copy of a marriage or divorce record to any
6 applicant, except as provided by rule.

7 (2) UPON WRITTEN REQUEST OF AN ADULT WHO HAS BEEN ADOPTED
8 AND PAYMENT OF THE PRESCRIBED FEE, THE STATE REGISTRAR SHALL
9 ISSUE TO THAT INDIVIDUAL A COPY OF HIS OR HER ORIGINAL CERTIFI-
10 CATE OF LIVE BIRTH CONTAINING THE ITEMS INDICATED IN
11 SECTION 2881(2), IF THE WRITTEN REQUEST IS ACCOMPANIED BY A COPY
12 OF A CENTRAL ADOPTION REGISTRY CLEARANCE REPLY FORM THAT WAS COM-
13 PLETED BY THE DEPARTMENT OF SOCIAL SERVICES AND DELIVERED TO THAT
14 INDIVIDUAL PURSUANT TO SECTION 68(11) OF CHAPTER X OF ACT NO. 288
15 OF THE PUBLIC ACTS OF 1939, BEING SECTION 710.68 OF THE MICHIGAN
16 COMPILED LAWS. A COPY OF THE ORIGINAL CERTIFICATE OF LIVE BIRTH
17 PROVIDED UNDER THIS SUBSECTION SHALL HAVE THE FOLLOWING PHRASE
18 MARKED ON THE FACE OF THE COPY: "THIS DOCUMENT IS A COPY OF A
19 SEALED RECORD AND IS NOT THE ACTIVE BIRTH CERTIFICATE OF THE
20 INDIVIDUAL WHOSE NAME APPEARS ON THIS DOCUMENT".

21 Section 2. This amendatory act shall not take effect unless
22 Senate Bill No. _____ or House Bill No. 4637 (request
23 no. 01928'93) of the 87th Legislature is enacted into law.